

compliance with the Americans With Disabilities Act. We have a federal mandate. That federal mandate is an unfunded mandate and it requires us to change our public buildings to be accessible the disabled. Secondly, infrastructure damage due to natural disasters. We had, I think, in the western part of the state a couple of natural disasters that seriously injured some public buildings and they couldn't be repaired without an exception to the lid. So, we passed a limited set of exemptions for cities and counties basically, it may have been last year, I think it was last year as opposed to the year before. We then exercised those rights throughout the state. The state auditor pointed out, however, that in Lincoln and Omaha public buildings are not owned by the city or the county, but they are owned by a building commission, a public building commission that represented three city council members and three members of the board of commissioners, and then they jointly operated these public facilities. Since the phrase public building commission did not appear in our list of exemptions, the state auditor wondered whether or not they should be exempt from the operation of the lid just like the city or the county would be. What LB 49 does is to answer two questions. One, are public building commissions under the lid, and the answer is yes. And number two, are public building commissions entitled to the exemptions that cities and counties have to the lid, and the answer to that is also yes. What this does, in essence, is to answer the state auditor's question to make clear that our intent was that public buildings held by cities and counties have exemptions from the lid for the ADA and for natural disaster infrastructure repair. We said it, we meant it and in the setting of Lincoln and Omaha where they use the Public Building Commission, it also should apply there. We just need to use whatever the right words are to make that mojo happen. My cosponsor, Paul Hartnett, may want to make any additional comments, otherwise I'll be willing to answer any questions. I move for the advancement of LB 49.

PRESIDENT ROBAK: Thank you, Senator Landis. Is there any discussion on the advancement of LB 49? Seeing none, Senator Landis waives closing. The question before the body is the advancement of LB 49. All those in favor vote aye, all those opposed vote nay. Have you all voted? Please record.

CLERK: 33 ayes, 0 nays, Madam President, on the advancement of LB 49.

PRESIDENT ROBAK: LB 49 advances. LB 167.